1949. K File No. Fees spl Counsel Moff 1/49

Legal Dept

C BRANCH

Subject:— Preparation of bills for fees payable to Special Counsel appointed to conduct prosecution

P.136/E

File No. Fees spl Counsel Moff 1/49

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Charved,
Broach, 22nd December, 1948.

From
Motilal H. Vin Esquire, B.A., LL.B., Advocate,
Broach.

To
The Remembrancer of Legal Affairs,
Secretariat, Bombay.

Subject:- Preparation of bills for fees payable to Special Counsel appointed to conduct prosecution at Godhra.

Sir,

I have the honour to state that by a resolution No.13507 dated 30th December 1947 (Legal Department). I was appointed to No.119 of 1947 in the court of the sub-divisional First Class Magistrate, Godhra. I attach herewith a copy of the said resolution.

2. In pursuance of the said resolution I appeared before the Sub-Divisional First Class Magistrate, Godhra and conducte the prosecution case on the following nine days:-

From	27.1.1948	to 30.1.1948	..4days.
"	16-2-1948	to 17.2.1948	.. 2days.
"	3.3.1948	to 4.3.1948	.. 2 days.
	19-5-1948.		1 day.
			9 days.

I attach herewith a certificate of the learned Magistrate about my attendance.

3. During the conduct of he said case it was decided to examine at Bombay Dr.S.R.Mulgavkar, a Bombay surgeon, by commission. I was directed by learned Magistrate to to to Bombay andattend at his examination. I attach herewith a copy of the said intimation. I attended the court of the Presidency Magistrate and Registrar Bombay forone day on 10th April, 1948. I attach herewith a certificate of the Presidency Magistrate and Registrar about my attendance. I returned to Broach by the 7 down train arriving at Broach atabout 7.30 next morning. I believe I am entitled to have twodays fees as I arrived at Broach more then 6 hours after midnight.

4. The case was then committed to the court of Sessions, Godhra. By another resolution No.1919 dated 24th July 1948, attached herewith I was appointed special counsel to conduct the prosecution case in the said Sessions trial. I attended the Sessions Court at Godhra and conducted the case for the following seven days viz:-

From 27-7-1948 to 31.7.48 (both days inclusive) .... 5days.

From 3.8.1948 to 3.8.1948 .... 2 days

7 days.

I attach herewith a certificate from the Sessions Judge about my ~~xxxxxxxxx~~ attendance.

5. As per Government resolutions referred to above, I was entitled to travel by first class. I have however travelled by second class whenever convenient accommodation was available by that class and travelled by first class only when convenient accormodation was not available by the second class. When I went to Bombay for examining Dr.Mulgavkar I could not get accommodation either in the second class or in the first class. I had therefor to travel by the third class. In a list attached herewith I have shown the particulars of my travelling with the actual expenses incurred by me for purchasing railway tickets only. I believe I am entitled to charge 3/4th of Ist class fare for I am not entitle to get that under the rules I should be given first class fare fo each journey irrespective of the class by which I may have travell

6. I am entitled to the following amount as per details shown below:-

1.	Attendance in the court of the First class Sub.divisional Magistrate, Godhra for nine days.	Rs. 1350
2.	Attendance for two days for commission.	" 300/-
3.	Attendance in the Sessions Court at Godhra for seven days.	" 1050/-
4.	Actual train fares paid by me as detailed in the list annexted herewith.	" 108-9-0
5-	Single first class fare for each hourney according to Rules.	" 108-6-0
		" 1916-15-0

7. I request that the necessary bills for the above amount be prepared and the amount remitted to me.

Your most obedient servant

Sd/

Advocate.

Enclosers in original:-

1. Govt. Resolution Legal Dept. No. 13507 of 30-12-47.

2. Govt.Resolution Legal Dept. No.6919 of 24-7-1948.

3. Intimation from Sub-Divisional Magistrate,Godhra No.M.A.C.(48 of 5.4.48.

4. Certificate from Sub-Divisional Magistrate Godhra of 6.7.48 regarding attendance in his court at Godhra.

5. Certificate from Presidency Magistrate and Registrar about presence in his court in connection with the commission issued by D.J.,Panchamahals.

6. Certificate from Sessions Judge dated 7.10.48 regarding attendance in his court at Godhra.

E.K.N.6/6/56

4C.

Date.	Particulars.	Train fare actually spent.	Extra 3/4th of first class fare for each journey.
		Rs.as.	Rs.as.
27.1.48	2nd class train fare from Broach to Godhra.	7.8.0.	10.8.0.
31.1.48.	1st class train fare from Godhra to Broach.	14.0.0.	10.8.0.
16.2.48.	2nd class train fare from Broach to Godhra.	7.8.0.	10.8.0.
17.2.48.	2nd class train fare from Godhra to Broach.	7.8.0.	10.8.0.
3.3.48.	1st class train fare from Godhra to Broach.	14,0.0,	10.8.0.
4.3.48.	2nd class train fare from Godhra to Broach.	7.8.0.	10.8.0.
9.4.48.	3rd class train fare from Broach to Bombay	4.3.0.	15.11.0.
10.4.48,	1st clss train fare from Bombay to Broach.	31.6.0.	15.11.0.
	2nd class train fare from Broach to Godhra.	7,8.0.	7.0.0.
19.5.48.	2nd class train fare from Godhra to Broach.	7.8.0.	7.0.0.
	Total Rs.	108.9.0,	108.6.0.

E.K.N.6/6/8

40.

Engagement of --

GOVERNMENT OF BOMBAY
Legal Department,
Resolution No. 13507.
Bombay Castle, 30th December 1947.

Letter from the District Magistrate, Panch Maha No.P,O.L. 320, dated the 29th November 1947 --Requesting that a special counsel may be appointed to conduct the case for prosecution in the Court of the sub-Divisional Magistrate, Godhra in Godhra town C.R.No.119 of 1947 in view of the importance of the case and recommending Mr. H.P. Shukla, Mr.P.B.Desai both of Ahmedabad and Mr. M.H.Vin of Broach as fees of Rs.300, Rs.200, and Rs.150 respectively and First Class Railway.

Memorandum to the District Magistrate, Panch Mahals No.11690, dated the 6th December 1947.

RESOLUTION: Sanction is accorded to the engagement of Mr.M.H.Vin as Special Counsel for conducting the criminal proceedings in Godhra Town C.R.No.119 of 1947 in the Court of the Sub-Divisional Magistrate, Godhra on a fee of Rs. 150 per day of hearing plus first class railway fares.

By order of the Governor of Bombay

Sd/R.M.Mehta,
Assistant Secretary to Government.

To
The Finance Department,
The Accountant General, Bombay (through the Finance Department),
The District Magistrate Panch Mahals
Mr.M.H.Vin (through District Magistrate Panch Mahals).

E&K.N. 6/6/55.

40.

Criminal Case No.3/1948.

Imperator.
Vs.
1.Mohamad Abdul Rehaman Gunia @ Bakro
and three others of Godhra town.

Certified that Mr.Motilal H.Vin of Broach appeared before me as a special Counsol in behalf of crown and conducted the above case on the following dates.

27-1-1948. to 30-1-1948 (Both days inclusive).
16-2-1948 to 17-2-1948
3-3-1948 to 4-3-1948
19-5-1948.

S/

Sub Divisional Magistrate,
Godhra Sub-Division,Godhra.

E.K.N.6/6/66

4C.

No.1604 of 1948

From

Oscar H Brown,Esqr., C.I.E. O.B.E.,
Bar-at-Law,
Chief Presidency Magistrate,Bombay.

To

The District Magistrate,
Panchamahals, Godhra.

Chief Presidency Magistrate's court
Esplanade, Bombay 2nd April'48.

Subject:. Commission No.9 of 1948
witness examination of Dr.
S.R.Moolgaonkar,Bombay.

Sir,

With reference to your endorsement No.P,O.L.W.S. 320 814 dated 11th March 1948 in connection with the above mentioned commission I have the honour to state that the said commission has been fixed for hearing on Saturday the 10th April 1948, at 11-30 A.M.(S.T) before the Registrar and Presidency Magistrate, Esplanade court, Bombay. The parties may be informed accordingly.

Your obedient servant,

Sd/
Chief Presidency Magistrate, Bombay.

No.1605 of 1948. Bombay 2nd April 1948.

Copy forwarded with compliments to the Sub District Magistrate,Godhra Division,Godhra for information. The Special Public Prosecutor Mr.Vin may be asked to atten this court on 10-4-48.

Sd/

for Chief Presidency Magistrate,
Bombay.
No.M.A.G. (48)
Godhra 5-4-1948.

[illegible] with compliments to Mr.M.M.Vin,Special Public Prosecutor,(Advocate)Acharwada,Broach for information.

2/- He is requested to attend the court at Bombay on 10-4-48 without fail.

Ld/-
Sub-Divisional Magistrate
Chodhra Division.

E.K.N.6/6/56

4C

No. 3687 of 1948

Esplanade Police Court,
Bombay, 22nd July 1948.

Certified that Mr.M.H.Vin.Advocate, appeared before this Court, on 10th April 1948, on behalf of prosecution in connection with the commission issued by the District Magistrate Panchamahals, for the examination of witness Dr.S.M.Mulgaonker of Bombay.

Sd/

Presidency Magistrate and Registrar,
Presidency Magistrates' Courts,
Bombay.

Copy forwarded to Mr.MotilalH.Vin,B.LL.B. Advocate Acharwad, Broach, with reference to his letter dated 14.7.48.

E.K.N.6/6/56-

4C

Social Counsel
Engagement of --

GOVERNMENT OF BOMBAY.
Legal Department.
Resolution No.6919.
Bombay Castle, 24th July 1948.

Letter from the District Magistrate, Panch Mahals, No. POL 320, dated the 29th June 1948 stating that the Criminal proceedings in Godhra Town C.R.No.119 of 1947 in the Court of the Sub-Divisional Magistrate, Godhra have been committed to Sessions and requesting that Mr.M.H.Vin who was appointed to conduct the proceedings in the first court may be engaged to conduct the said proceedings in the Sessions Court.

Letter to the District Magistrate, Panch Mahals No.6328 dated 6th July 1948.

Letter from the District Magistrate Panch Mahals No. POL 320 dated the 9th July 1948 requesting that Mr. Vin be engaged on the same fees as were sanctioned ~~xxxxxxx~~ in Government Resolution Legal Department No.13507 dated the 30th December 1947.

RESOLUTION:- Sanction is accorded to the ~~xxxxx~~ engagement of Mr.M.H.Vin as special counsel for conducting the proceedings in the Godhra Town C.R.No.119 of 1947 in the Session's Court, on a few of Rs.150/- per day of hearing plus first class railway fares.

By order of the Governor of Bombay.

R.M.MEHTA.
Assistant Secretary to Government.

To

The Finance Department,
The Accountant General Bombay (through F.D.)
The District Magistrate, Panch Mahals.
Mr.M.H.Vin (through District Magistrate, Panch Mahals).

N.K.N.6/6/56
4C.

No. POL/320
Godhra - 16-8-48

Fees to Mr. Vin, Advocate
Ahmedabad, Broach.

Sd/-
S.M. Bar

Certified that Mr.Motilal H.Vin,LL.B.,appeared before the Sessions Judge,Broach and Panchmahals at--- Godhra as Special Public Prosecutor in Sessions case 25 of 1948 (Imperator Vs.-ahomed Abdul Rahoman Gunia alias Pakro & three others) from 27-7-1948 to 31-7-1948 and on 2-8-1948 & 3-8-1948 Rmrx i.e. for 7(seven)days, and conducted the same.

Sessions Court of)
Broach & Panchamahals,)
GODHRA,7th October 48.)

Sd/-
Sessions Judge.

E.K.N.6/6/56

4C.

Submitted.

2. Mr.M.H.Vin,Advocate,Broach, was appointed special counsel for conducting the cirinal proceedings in Godhra Town C.R.No.119 of 1947 in the Court of the Sub-Divisional Magistrate, Godhra and in the Sessions Court vide Govt. Resolutions, Legal Department Nos.13507, dated 30-12-1947 and 6919 dated 24-7-1948 respectively. Please see letter from Mr.Vin regarding his fees which is self-explanatory Mr. Vin requests that his bill for Rs.2939-10-0 claimed by him as shown below may be prepared and the amount remitted to him:-

(a)	Attendance in the Court of the 1st Class Sub-Divl. Magistrate,Godhra for nine days.	Rs.	1350 - 0 -0
(b)	Attendance forthe two days in connection with Commission.	"	300 - 0 -0
(c).	Attendance in the Sessions Court at Godhra for seven days.	"	1050 - 0 - 0
(d)	Actual Railway fares paid by him and	"	108-9-0
(e)	Three-fourths of single 1st Class fare for each way journey.	"	131-1-0
		Rs.	2939 - 10 - 0

3. The fares claimed at (a) and (c) above are according to the rate of Rs.1 0 per day of hearing sanctioned in the Govt. Resolutions referred to above. The dates for which the fees have been claimed are certified by the Sub-Divl.Magistrate,Godhra and the Sessions Judge,Godhra These items are therefore in order.

4. The item of Rs.300 claimed at (b) above for attendance for two days at Bombay at the rate of Rs.150 per day for examining witness Dr.Bulgaonkar at Bombay on Commission is supported by a certificate from the Presy.Magistrate and Registrar,Presidency Magistrates' Courts,Bombay,certifying that Mr.Vin appeared before the Court on 10-4-1948. Mr. Vin states that he returned to Broach at about 7-30 in the morning of 11-4-1948 and as his absence from t

the head quarters on that day exceeded six hours he would be entitled to his fees for that day also (please see in this connection in the principle embodied in rule 28 of the Law Officers (Conditions of Service)Rules.). This item of fees in connection with the examination of witness of Commission at Bombay also appears to have been covered by G.R.L.D.No.13507, dated 30-12-1947 as the examination of the witness at Bombay was "for conducting the Criminal proceedings in Godhra Town C.R.No.119 of 1947". The item of Rs.300 claimed at (b) over leaf therefore appears to be admissible.

5. As regards amounts claimed at (d) and a(d) overleaf on account of travelling allowance charges attention is invited to the particulars furnished by Mr.Vin and page 5 ante. Mr. Vin was sanctioned 1st class railway fares under the Government Resolutions referred to above, but he did not travel by 1st class every time. At times he travelled by end class and on one occasion he travelled by 3rd class from Broach to Bombay. Under the travelling allowance rules he is entitled to the fares of the class by which he actually travelled and as such the item of rs.108-0.0 claimed at (d) overleaf is in order. As regards item of Rs.131-1-0 claimed on account of the extra 3/4 fare it is pointed out that the concession of the e tra 3/4 th fare was withdrawn vide G.R.F.D.No. 6384/33, dated 23-3-1938 with effect from 1-4-1948 and as such Mr.Vin will get extra 3/4th 1st class journeys made prior to 1-4-1948 only. For subsequent journeys he will get the usual extra 1/2 of the 1st class fare. On this account he would therefore get Rs.108-8-0 as shown in the 2nd c olumn and page 5 ante instead of Rs.131-1-0, claimed by him. Mr.Vin would therefore entitled to get in all Rs.2916-15-0.

6. Under rule 199(4) of the law Officers Rules bills of special counsel engaged in the mofussil are to be prepared in the Office of the Legal Remembran er . In the present case it is possible to instruct the A.G., Bombay to direct the Treasury Officer, Broach to make the payment of the amount of Rs.2916 -15-0 to Mr.Vin at Broach. The Accountant General, Bombay, may however see these papers u.o. If the A.G. agrees to the above procedure the necessary orders will be issued by this Department instructing the A.G. as stated above and

directing how the expenditure may be met. Mr. Vin will also be instructed to approach the Treasury Officer, Broach, to receive the payment.

Supt.

A similar ref. hasbeen made to the A.G. in the case of Mr.Lele. This may therefore await the decision on that case. In the meantime Mr.Vin may be infored that he will be entitled to Rs.2916-15-0 as explained above.

E.K.N.C/6/56

AsS.

No.1152.

Office of the
Remembrancer of Legal Affairs,
Bombay Castle, 31st January 1949.

From

P.M.Lad,Esquire,I.C.S.,
Remembrancer of Legal Affairs,

To

Motilalx H. Vin, Esquire,B.A.,LL.B.,
Advocate, BROACH.

Subject:-- Payment of fees for conducting Criminal Proceedings in Godhra Town C.R.No.119 of 1947 in the Court of the Sub-Divisional Magistrate,Godhra and in the Sessions Court.

Sir,

With reference to your letter dated the 22nd December 1948, on the above subject, I have the honour to state that all the items referred to in para 6 of your letter referred to above except the item of Rs.131-1-0 at Serial No.8 are in order. The item of Rs.131-1-0 has been claimed in connection with three-fourths of single First Class fare for each journey. In this connection it is pointed out that the concession of extra three-fourth fare was withdrawn vide Government Resolution,Finance Department No.6384/33, dated the 23rd March 1948 with effect from the 1st April 1948 and as such you will get extra three-fourths First Class fares only for journeys made prior to 1st April 1948. For subsequent journeys you will get the usual extra one-half of the First Class fares. On this account, therefore, you would get Rs.103-6-0 instead of Rs.131-1-0 claimed by you. Thus you would be entitled to get in all Rs.2016-15-0.

3. Arrangements are being made to make the necessary to your as early as possible.

Yours faithfully,

P.M'Lad.

Remembrancer of Le al Affairs.

Submitted for approval and signatu e

Sppt.

A.S.

Submitted.

2.Memo is put up for approval and signature.

3. The A.G.Bombay has agreed to a similar mode of payment in the case of M/s Lele of Belgaum to whom fees are due for instructing the Govt.Pleader, H.ct.Bombay in connection with appeal in Subede Murder Case.

Sppt.

As.

E.K.N.6/6/56

4C.

No.1535 . 25.

Legal Department,
Bombay Castle, 9th February 1949.

Subject:- Payment of fees to Motilal H.Vin, Esquire, B.A., LL.B., Advocate, Broach, for conducting criminal proceedings in Godhra Town C.R.No.119 of 1947 in the Court of the Sub-Substantial Magistrate, Godhra and in the Sessions Court.

MEMORANDUM.

The undersigned presents compliments to the Accountant General, Bombay, and with reference xxx to Government Resolutions, Legal Department No. 13507, dated the 30th December 1947 and No.6019, dated the 24th July 1948 is directed to request him to be so good as to direct the Treasury Officer, Broach, to make the payment of an amount of Rs.2916-15-0 (Rupees two thousand nine hundred and sixteen and annas fifteen only) as shown below to Motilal H.Vin, Esquire, B.A., LL.B., Advocate, Broach, for conducting the criminal proceedings referred to above:-

1.	Attendance in the court of the first Class Sub-divisional Magistrate, Godhra for 9 days.	Rs.1350-0-0
2.	Attendance for two days for Commission.	Rs. 300-0-0
3.	Attendance in the Sessions Court at Godhra for seven days.	Rs. 1050-0-0
4.	Actual train fares paid by him.	Rs. 108-9-0
5-	Extra single first class fare for ~~each~~ journey according to rules....	Rs. 108-6-0
		Rs.2916-15-0

2. The expenditure should be debited to the head "27 - Administration of Justice-B-Law Officers-b2 .Mofussil Establishmen. -B2(4)Contingencies -Other Supplies and Services (Law Charges ".

By order of the Governor of Bombay.

Sd/ P.H.Lad.
Remembrancer of Legal Affairs.

(P.T.O.)-

To

The Accountant General,

Bombay.

Copy to

Motilal H.Vin, Esquire,B.A.,LL.B.,Advocate Broach (through the District Government Pleader, Broach) with arequest to approach the Treasury Officer,Broach who will make the necessary payment to him.

Submitted after issue.

File in Fees Spl.Counsel/49 (New file((Mofl).

Supt.

AS. B .K.N.6/6/56.

4c.

No.D.AIII-27-MD/3489

Bombay the 10th March 1949.

FROM

THE ACCOUNTANT GENERAL

BOMBAY.

To

The Treasury Officer,Broach.

Sub:- Payment of fees to Motilal H.Vin Esq.,

Sir,

I have the honour to authorise you to pay an amount of Rs.2916/15/-(two thousand nine hundred and sixteen,15/-) as sanctioned in G.M.L.D.No.1533 dt. 9-2-49 to Motilal H.Vin Esq.,B.A.LL B. Advocate Broach for conducting the criminal proceedings in odhra Town C.R.No119 of 1947 in the court of sub-divisional Magistrate Godhra and in the Sessions Court.

The amount may pleased be debited to "27-Admn. of Justice-B.Law Officer-Contingencies."

The amount when paid may please be intimated to this office.

Yours faithfully,

Sd/ V. C. Vaidyeshwaran.

Asstt. Accounts Officer.

No.D.A.III-27-MD/3490 dt.the 10th March 1949.

Copy forwarded to the Secretary to Govt.Legal Deptt.Bombay for information with reference to G.M. L.D.No.1533 dt. 9-2-49.

Sd/
Asstt. Accounts Officer.

L.D.R.No.4632 dt.16-4-48

Submitted.

This is a proposal from the President of Praja Parishad and others of Jamkhandi State to prefer an appeal against the actuittal of the accused in the Sabade murder case. (Sessions Case No.1 of 1948 in the Court of the Special sessions Judge at Jamkhandi).

H.D. has requested R.L.A. to advise whether this is a fit case for appeal.

The facts of the case in brief are as follows:-

One Mr.Anant Vasudeo Sabade, a prominent member of the Jamkhandi Bar and the Vice President of the Local Praja Parishad was also editor, rpinter and publisher of a local weekly the 'Sansthani Swaraj' in which he used towrite criticisms against the police of the State in general and against accused No. 1,2 and 3 in particular. He used to also defend accused persons in prosecutions, launched by accused No.1, a police Inspector and appeared for complainants in criminal complaints filed against these three accds. In March 1947, the Darbar armounced a scheme ofreform for theintroduction of Responsible Govt in the State and in this Scheme Mr.Sabade was to be Chief Minister with the Police Portfolio assigned to him. When accd. Noi M.M.Pusalkar and accd.Nos.2 and 3 Bhiwa N.Shendge (who was dismissed in 1943 from the State Risala and from March to May 1947 was working in the State control department) and G.P.L. Jadhava(who was a police constable.under suspension from May 1946) respectively cameto know that Mr. Sabade was

goin.....

going to be a minister with the police portfolio, and fearing that they might be taken to task by Mr.Sabade when they hated, they togethor with accd.Nos.4 to 8 (Strangers in Jamkhandi) and 4 others absconding accd. formed a conspiracy to murder Mr.Sabade some time during the six months prior to 24-5-47; and accd.Nos.2 toStogether the absconding accd. in furtherance of common illegal object of the conspiracy, assualted Mr.Sabade with sharp cutting instruments like knives and inflicted severe injuries on him at about 8 p.m. on 25-5-47, on the public highway some distance from the faujdar Acheri just in fromt of a coal depot, the premises of which beling to one Mr. Apte, Mr.Sabade in his dying statement stated that 3 or 4 big fellow at acked him with either a big knife or an ordinary knife. The assinant tried to press his throat and gave him 6 punges or cuts afterfirst trying to cut off his neck. On being questioned, as to who were his assailants, he said that they might be Muslims Accd.No.1. was charged for offences under secs.120B and 302 r/109 I.P.C. accd.No.2 to 8 were charged for offences under secs.120B and 302 r/w 34I.P.C.

Accused No.1 in this statement stated that the prosecution witnesses aregiving false and concocted evidence, having been instigated by Praja Parishad workers and others against whom he had to take action as a police officer, under orders from the Rajab Saheb. According to him, theoffence was committed by some muslim leaders, who demanded a Muslim minister Accd.No.2 stated that he was a Darbar informer and used to visit accused No.1 to him information about offences during the 6 months prior to the assault on Sabhade. The other accd. viz Nos.3-8 likewise stated that

they used to visit accd.No.1 for giving information relating to house breaking and decoities.

The prosecution produced many witnesses to prove motive or malice on the part of accd.No1. to commit the crime, but the evidence was not accepted by the trying magistrate. The learned Magistrate also hold that there was no legal and reliable evidence, oral and circumstantial to prove the alleged conspiracy.

The assessors were of opinion that the accd.Nos. 1 to 8 were all guilty of theoffence with which they were charged. The learned Special Sessions Judge did not however agree with them. According to him accd.No.1 was not guilty of offences under secs.120B and 302 r/w 109 I.P.C and accd.Nos.2 to 8 were not guilty of offences under secs.120B and 302 r/w 34 I.P.C. He therefore acquitted the accd. of the said offences and ordered them to be discharged.

The Chief Administrator, Sangli has stated in his letter dt.6-4-1948 addressed to the Secy.to Govt., H.D.that the judge has disbelieved fairly strong prosecution evidence. According to him it is more a question of appreciation of evidence than of any intentional attempt to prevent pervert justice.

By virtue of clause 5(1) of the Administration of Deccan States Order,1948, the High Court of Judicature at Bombay has appellte Jurisdiction in respect of courts in Jamkhandi State (which is included in Schedule I appended to the above said order vide clause 2(1) of the order in this connection).

The judgmetwas delivered on 10-3 48. The administrative period will expire of 10-6-48

For orders whether C.P. H.C. may be consulted before considering the advisibility of preferring an appeal. It is difficult to express any definite opinion without looking into the record of the case. H.C. may be asked to obtain copies of the record and forward the same to this dept. as soon as possible.

Sd/ P.N.Lad.

Remembrancer of Legal Affairs.

I have gone through the whole of the judgment carefully and the relevant record in the two files.

2. That I do not feel sure that an appeal will succeed in this case.

3. That Mr.Sabade was murdered by some persons on the evening of the 24th May 1947 at about 8.p.m. is not in dispute. The point in dispute is whether it is proved that it is the accused Nos. 1 to 8 or any of them who were responsible for the commission. of the dastardly act

4. Mr.Sabde was a leading member of the Jamkhandi Bar and also a prominent political and social worker. Accused No. 1 the Inspector of Police, at the relevant date. Accused No.2 was one in the State Risala and was dismissed in the year 1943. On the relevant date of the offence he was working as a constable in the State Control Department. Accused No.3 was a police constable under suspension since May 1946. The rest of the accused were villagers from places other than Jamkhandi. Due to the Ram-pur incident (see para.13 of the judgment) and other reasons, accused No.1. had admittedly been for a considerable time on inimical terms with Mr.Sabade. This fact is not in dispute. According to the Sessions Judge, the differences were made up some timebefore the date of the offence so that there was no motive as such for the commission of the crime by accused No.1 on the date of the offence. I,however, do not feel inclinded to accept this view. It is in evidence that the feelings were very bitter between accused No.1 and the deceased Sabade and it appear to me unlikely that Accused No.1 could have forgiven Sabade easily. Further it is on record that on 23-3-47 the Jamkhandi Ruler announced a scheme of reforms for transfer of the power to certain representatives of the people, includi —Shabade. The evidence shows that Sabade was.....

was expeted to be the Chief Minister and that the Police Department was likely to begin his charge. It is, therfore, possible, that accused No.1 might have entertained serious apprehensions about his position as Inspector in the Police Department. In this view it would not be unreasonable to hold that accused No.1 was interested in getting rid of Sabade and that there was thus a motive for the commission of the crime, at least in so far as this accused was concerned. Admittedly accused Nos.2 and 3 are close associates of accused No.1. and it would not be far-fetched to hold that they too had reason to join the commission of thecrime. Accused Nos.4 to 8, however, are in no way directly connected with the Jamkhandi affairs and, unless it is proved that they joined in the commission of the crime at the instance of accused No.1 , it would be difficult to attribute any motive to them for the commission of the crime. The learned Sessions Judge has even on the point of motive held against the prosecution, one of the main reasons stated being that Mr.Sabde was known to be a fair and impartial worker who created no enemies for himself (Ajatasatru). The sessions Judge has argued that, therfore, accused No.1 had no cause for entertaining any fears even if Mr.Sabade should be put in charge of the Police Department. I think the argument in this case is stretched too far by the Sessions Judge. It appears to me that the Sessions Judge, in order to defend his final conclusions, has tried to set at naught the evidence of the prosecution on all points.

5. I have examined the evidence, therefore, assuming that there was motive for accused No.1 to get rid of Sabade. It is well known that in a criminal proceeding it is not sufficient merely to establish motive. It is necessary to prove beyond a reasonable doubt that in fact the crime was committed by the accused as a result of such motive. On this point the prosecution evidence in this case does not appear to me to be quite satisfactory. EKN.7/6/5

he.....

The accused have been charged in the first place under section 120 . for having entered into a conspiracy to murder Subade. The evidence on record no doubt goes to prove that accused No.1 to 3 are all close associates and that accused Nos.4 to 8 used to visit accused No1. The fact that accused nos. 2 and 3 are close associates of accused No.1. is not in dispute. They are admittedly the informers of the police. Nor is it disputed that accused Nos.4 to 8 used to visit accused No.1. Their explanation is that they used to do so in connection with certain thefts and decoities committed in their villages. Mere association would not be sufficient to come to the conclusion that there was a conspiracy to commit the offence, As regards the actual agreement to commit the illegal act, there is no satisfactory evidence on record. Not much importance can be attached to the statement of the witness Tani given by her in the committal court which had been admitted under section 208 of the Code of Criminal Procedure. It is true that the statement does form substantive evidence in law but as a matter of prudence, it has always been considered unsafe to rely on such evidence alone. Theevidence of the other witnesses on the point, including that of Joti, Krishnabai, Zhare and Mokashi, is to my mind hardly of any importance. The sessions Judge has dealt with all this evidence carefully and has shown that none of these witnesses' evidence can be relied on. There are two confessions and some extra-judicial confessions also on record, but this part of the evidence, to my mind, is also not of much consequence.

6. The most important part of the prosecution evidence consists of the evidence of the eye witnesses who had seen the accused near the scene of

the.....

the offence about the time of the commission of the crime and who had seen them actually comit the crime. This evidence is discussed by the Sessions Judge, in paras. 28 to 33 of the judgment. Shivling exh. 27 deposes to have been some of the accused in the tea shop of witness Krishnabai at about 4 p.m. on the date of the evidence. This witness has, to my min been rightly disbelieved. He had according to him gone for tea but went without it. Chandrayya, exh. 26, has deposed to his having seen some more accused at about 5 pm. He felt suspicious but did nothing. He could give no reasons why he remained silent. He was exained by the Police some months after the crime was committed, that is, on 13-7-47. The third witness is Krishnasing Rajput, exh.37. He does not say anything particular again any of the accused. Besides, his statement too has been recorded after a delay of, some months on 9-10-47.

7. The next witness, Sultanni.exh. 42, is the most important witness in the case. Admittedly, she is residing in the neighbourhood of the scene of offence. Her evidence has been discussed by the Sessions judge at length in paras 31 and 32 of the judgment. She is a Muslim lady. The suggestion of the defence is that Mr.Sabade was unpopular with the Muslims and the Muslims League and that because no one of the Muslim community was chosen as a Minister, the Muslims took revenge by murdering Sabade. Apart from this suggestion, the evidence of witness Sultanni, exh.42, has not been quite consistent. It appears that here statement was recorded by accused No.1 himself when he had started investigation and that statement does not tally with the statem nt later on made by her before the police. It appears that she had been prevaricating while in the witness box. Some of the accused she did not know at all, yet she gave their names. The explanation was that when she indentified them at the indentification, parade.....

parade these names were given out by accused No.1 and she therefore remembered them. She has not been able to give any satisfacoty explanation regarding the absence of her husaband from her house at the relevant time. Upon the whole, I agree with the Sessions Judge that it would be unsafe to rely on the testimoney of such a witness for holding the accused guilty of the commission of a serious crime like murder.

8. Then there are certain relations of Sabade himself, Laxmibai, Krishnaji and Vishnu and a tenant of their, Ramdas. None of these witnesses have indentified any of the accused.

9. The evidence thus on the main point about the indentity of the actual perpetrators of the crime is unsatisfactory. There is no reliable evidence to come to the definite conslusion that accused Nos.2 to 8 were the persons who attacked Sabade on the fateful evening. There is no evidence to show that accused No.1. instigated the perpetrators of the crime, whoever they may be.

10. Exhibits 104 is the dying declaration of Sabde himself. This delcaration instead of helping the prosecution throws serious doubt on the prosecution version. Sabade has in this statement given out that he thought that the culprits were members of the Muslim community. Sabade would have recognised accused Nos.2 and 3 if they were among the persons who attacked him. Sabade has failed to mention their names in the statement.

11. The evidence thus on the material points is unsatisfactory and insufficient. I am not inclined to attaach much importance to the subsequent conduct of one of the accused in absconding or to accused No1 being found in company of one other accused. These circumstances,

even.....

even if accepted, would not be sufficient to come to the conclusion that actually the crim was committed by any of the accused.

12. For the reasons stated above, in my opinion, this is not a fit case for being taken up in appeal in the High Court. The case is no doubt an important one but the chances of success in an appeal are meagre.

R.L.A.

I have gone through the lengthy judgment and also the relevant portions of the record and I am inclinded to share the misgivings entertained by the D.S. There are a few incontrovertible facts which form the foundation of this case. They are:

(1) Accused No.1, Pusalkar, undoubtedly had reasons to bear ill-will to the deceased Mr.Sabade.

(2) It would be possible to establish close connection between accused Nos.1 to 3, though not directly with reference to this particular murder.

(3) There are some elements of suspicion pointing to accused No.1's complicity in the crime, such as, his presence at the Sub-Inspector's office and the murder being committed, so to say, right under his nose.

The superstructure which is raised upon these basic facts is, however, note quite strong and depends upon evidence which would not be acceptable to a careful Judge. The confessions have in my opinion, been rightly excluded. The extra-judicial confessions are not much value. The efforts made through witnesses to show that a conspiracy to murder Mr.Savade was actually hatched are not very impressive. There is great likelihood of the assailants being Muslims. Sabade's dying delcaration, which is a very important document, cannot be lightly brushed aside.

ccused Nos.2 and 3 were known s abade and, whatever be the state of the light, it was extremely unlikely that he should not have recognised them. But we find him saying that his assailants were big men and that they must be Muslims. The fact that while departing from the scene of offence, they raised the well-known Muslim cry of "din din", has also some significance. The Muslims of Jamkhandi could be said to have an equally strong motive to get rid of Sabade for political considerations, inasmuch as he is said to have refused to include a Muslim in the Ministry. It is this suggestion of an alternative agency of the crimes which makes it still more difficult for us to put faith in the only eye-witness to the crime - an old Muslim woman, Sultanbi In other respects her evidence is not inherently strong; and it is liable to the attack that she is probably trying to shield the Muslims and to pass on the responsibility to others. On the whole, I myself feel very diffident whether the High Court would set aside this acquittal. The irrigularity committed by the Judge in pronouncing the Judgment at his residence at the unusual hour of 3 a.m. would perhaps be held curable under section 537 of the Code of Criminal Procedure.

However, that may be, strong public feeling has been aroused by the acquittal in this case. The victim was a very important personality in the political life of the Deccan States. Representations have been made from time to time to Govt. to move in appeal. The evidence in the case has been scrutinised by a committee specially appointed for the purpose who also are anxious that an appeal should be launched.

It is true that Govt. should not be forced into filing an appeal if it is satisfied that such course would only result in the harassment of the accused.

However .....

owever, since the case depends upon the appreciation
f oral testimony and there is material which, if
ccepted, would support a conviction, Government
ould be justified in preferring an appeal in the
nterests of justice. I do not think that Govt.
ould incur the reproach that the accused were
nnecessarily harassed and forced to defend an
ltogether untenable appeal.

I would, therefore, advise that we should lodge
n appeal in this case. If this advise is accepted, I
ould further suggest that Mr.Lele, who has conducted
he case before the Sessions Judge, should be invited to give
nstructions to the Government Pleader.

Sd/ P.M'Lad.

BKN.7/6/

Criminal Appeals.

In the HighCourt Bombay -
against acquittal (Jamkhandi

GOVERNMENT OF BOMBAY,
Legal Department,
Resolution Ni. 5047
Bombay Castle, 27th May 1948.

Resolution:- The Government Pleader, High Court,

In the Court of the Special Sessions Judge, at Jamkhandi. Case No. 1 of 1948.	Bombay, is directed to present an appeal to the High Court, Bombay, Under section 417 of the Code of Criminal Procedure, 1898,
Jamkhandi State. Vs.	
1. Waman Nilkanth Pusalkar.	
2. Bhimu Nana Shendge.	
3. Gyna Parshuram Jadhava	
4. Nana Bhau Mang.	
5. Dundaya Bhimappa Danadamani.	
6. Shivya Shettyappa Madar,	
7. Bhujya Nemanna Madabhavi,	
8. Abya Sakharam Mang.	
(Offences under sections 120B,302 read with 109 and 302 read with 34 I.P.C.	

against the order of acquittal passed by the Special Sessions Judge, Jamkhandi on the 10th March 1848, inrespect of the accused in the case referred to in the margin.

By order of the Governor of Bombay,

P.N.LAD,
Secretary to Government.

To

The Home Department,

The Chief Administrator, Sangali,

The District Magistrate, Jamkhandi,

Mr.Y.N.Lele, through the chief Administraor, Sangali (with a request to give instructions to Government Pleader, High Court, Bombay).

The Government Pleader, High Court, Bombay (with the record of the case).

EKN.7/8/

4C.

No.5301.

Office of the
Remembrancer of Legal Affairs.
Bombay Castle, 4th June 1948.

To

The Chief Administrator,

Sangli.

Subject:-- Appeal against acquittal in sessions caseNo.1 of 1948, in the Court of the Special Sessions Judge at Wamkhandi.

Sir,

I have the honour to invite your attention to Government Resolution, Legal Department,No.5047, dated the 27th May 1948, a copy of which was endorsed to you and to request you to instruct Mr.Lele, who conducted the above case in the Sessions court, to give instructions to the Government Pleader,High Court, Bombay with reference to the above subject. Mr.Lele may be instructed to contact Government Pleader, High Court, Bombay and find out the time and place which will be suitable to the latter for receiving the instructions. Please make proposals for suitable remuneration to Mr.Lele for this work.

Yours obedient servant,

Sd/P.M.Lad.

Remembrancer of Legal Affairs.

Copy to
The Government Pleader, High Court,
Bombay.

EKN.7/6

No.2148.

Office of the
Government Pleader, High Court

Bombay, 2nd June, 1948.

From

S.G.PATWARDHAN, Esquire, B.A., B.S.C., LL.M.,,

GOVERNMENT PLEADER, HIGH COURT.

To

The Remembrancer of Legal Affairs,
Bombay.

Subject: Filing of criminal appeal in the High Court against the order of acquittal passed by the Special Sessions Judge, Nankhandi on the 10th March 1948 in Case No.1 of 1948. Imperator Vs. Waman Nilkanth Pusalkar and 7 other

---

Sir,

With reference to G.R.L.D.No. 5047 dated 27th May 194 on the above - subject, I have the honour to return herewit all the papers received with the G.R. under reference with a request to send the same to the District Magistrate Jamkhindi. The District Magistrate may be asked to supply this office one - certified and one uncertified copy of the judgment in Special Sessions Case No.1 of 1948 passed by the Special Sessions Judge, Jamkhindi on 10th March 1948 and to supply full addresses of all the accused.

Your obedient servant,

B.G. Thakor,
Or Government Pleader, High Court.

egal Department.

Record of the S.Case No.1 of 1948 in the Court of the Spl.Sessions Jud e at Tankhandi is returned to the Home Department with a request to obtain a certified and an uncertified copy of Judgement in the case fromthe Chief Administrater, Sangli and forwarded the same to the Govt.Pleader, khrnughxHigh Court Bombay, at an early date.

R.L.A.

ld/R.L.A.

.R. to H.D. No.....

No.15/8440 of 1948
Sangli 3rd July 1948.

To

The Remembrancer of Legal Affairs,
BOMBAY.

Reference:-Your Letter No.6067 of 29-6-48.

Subject:- Appeal against acquittal in Sessions Case No.1 of 48.

Mr.Lele was instructed by me on 8-6-48 to contact the Government Pleader, High Court, Bombay with r ference to the above subject. I have also received a reply from him saying that he is in communication with the Government Pleader in this matter. I shall submit my proposals for granting suitable remuneration to Mr.Lele shortly.

Sd/

EKN.7/6/ for Chief Administrator, Sangli.

The Chief Administrator, Sangli has already instructed Mr. Mele to get in xxxxxx which with J.P.H.C. and he is in communcation with C.P.H.C The Cheif Administrator proposes to submit his proposals re. suitable remuneration to Mr. Mele in a short time. Further communication from Chief Administrator, Sangli, may be awaited.

Sd/ A-L.R. R.[illegible]

From

A.V-Kulkarni, Pleader, Jamkhandi,
Chairman, Sabade Case Appeal Committee.

To

The Hon.Home Minister, Government of
Bombay.

Sir,

Duly received your letter and we are very glad t learn that an appeal has been filed in Sabade murder case. We, the Jamkhandi public, are very much obliged to the Bombay Government for having sanctioned the filing of appeal.

We honestly think that great injustice has been done in this case and the acquittal decision in this case has caused much sensation in the mind of the public here. In the interest of justice, utmost case must be taken; so we may humbly pray that this appeal may be entrusted to the Advocate General, Bombay.

If any local information or papers and instructi are required by the Advocate General or Government pleader, we may suppl

I beg to remain,

Sir,

Jamkhandi, Your most obedient servant.

EKM.7/6 4 - 7 - 48. Sd/A.V.K.

Submitted for information.

As Mr. Vele, who conducted the case in the Sessions Court has already been instructed to contact J.P.H.C. for giving instruction to the latter, no action seems necessary on letter ~~on reply~~ overleaf.

For orders whether it may be returned to H.D.

A.L.R, It may be whon to H.D.

R.T.K.

R.L.A. Has come to us from H.D. ~~of H.D.~~ of H.M. so desires we will engage the Advocate General. Have copies been supplied and the appeal filed? Please find out from G.P.

Sd/ P.M.Lad.

No.G672

Office of the
Remembrancer of Legal Affairs,
Bombay Castle, 16th July 1948

To

The Government Pleader, High Court,
Bombay.

Subject:- Filing of a Cr.appeal in the High Court against the order of acquittal passed by the Special Sessions Judge, Jmakhandi in case No.1 of 1948.

Sir,

With reference to your letter No. 2148 dated 2nd June 1948 on the subject noted above, I have the honour to inform you that Home Department has been requested to obtain a certified and an uncertified copy of judgment in the above mentioned case and also the full addresses of all the accused from the Chief Administrator, Sangli, and forward them to you. I may be informed at an early date whether you have received the same.

Yours faithfully,

Sd/- R.T.K.

Submitted for signature.
For Remembrancer of Legal Affairs.

Sd/ A.L.R.

Submitted after issue.

For orders whether pps. should be referred to H.D. with a request to obtain orders from H.M. whether Advocate General should be engaged in this case.

Sd/

A.L.R. R-T.K. 17/7

R.L.A. It is not necessary trouble H.M.(H.D) The case is of great trouble importance I have discussed it with C.P. and we are agreed that the Advocate General may appear even at the stage of admission. H.M.(L) may please see

Sd/

HMK

P.M. Lad.

No.105d. 19/7/48.

EKN.7/6

No.15/9373 of 1948

Office of the Chief Administrator,
Sangli, 16th July 1948.

To

The Remembrancer of Legal Affairs,
Bombay,.

Subject:- Appeal against acquittal in Sessions case No.1 of 1948. In the court of the Special Sessions Judge at Jamkhandi.

Sir,

Please refer to your No.6067 dated 29th June 1948 on the above noted subject.

I enclose herewith for your information a copy of the letter received from Mr.Lele in regard to his remuneration for instructing the Government Pleader, High Court, Bombay. I have no objection to allow the remineration asked for by him.

Yours obedient servant,

(B.D.Mirchandani)
Chief Administrator, Sangli.

Copy to Mr.Y.N. Lele, B.A.LL.B., Pleader, Belgaum.

Submitted for information

The terms for Mr.Lele's remunerator for instructing J 'P A.C. case contained xxx in his letter Dt.13/7/48 (Attached) The Chief Administrators, Sangle Sees no abjection to allow the terms suggested by Mr.Lele. For orders whether Mr.Leles (Proposals may be accepted. Papers will have to be shwon to F.D. for approval before issuing orders in the mater. attention is also invited to R.A.'s note at page 46 ante . For orders whether a ltter may be addressed to G.P.H.C. instructin, him to hand over the obidf to the Adv.General in this case.

Sd/ A.L.R. E.K.N7/6.

Copy.

Y.N.Lele,
B.A.,LL.B.,
PLEADER

To

The Chief Administrator,
Sangli.

Re; Appeal against acquittal in Sessions case No.1 of 1948 (Sabade murder case).

Sir,

As directed by you, I went to Bombay and have instructed to the Government pleader, High Court, Bombay, to file the appeal in the High Court.

He will do so in the course of this week.

Ref; Your letter No.15/8441
dated 3.7.1948.

So far my remuneration is concerned it was already fixed at Rs.100 per day and I have been accordingly paid for my work in the trial Court at Jamkhandi.
I left Belgaum on Saturday and returned on Monday, after giving instructions at Bombay on Sunday.

I am entitled to my fees for three days and travelling expenses.

I request that my fees may kindly be paid accordingly.

The appeal may come up for admission a week after.....

after it is failed. The Govt.Pleader tole me that he would wire when the date foradmission is fixed and that I should then go to Bombay.

I will go to Bombay after I hear from h... and do the needful.

Yours obediently,

Sd/- Y.N.Lele.

Pleader.

EKM-7/6/

Finance Department.'F' Br.

Please see L.D. notes at p.26 ante and the proceedings at pp.47-51.

2. Mr.Lele states that his remuneration was fixed at Rs.100 per day and he was accordingly paid at the trial cout at Jamkhandi. He claims remuneration at this rate for three days in addition to t.a. He was given instructions to the G.P.HC. on sunday. Although he left Belgaum on Saturday and returned on Monday it is clear that no instructions were given on these days andpresumable he was able to attend to his own work on these two days. The train for Bombay leaves Belgaum in the evening; and the train from Bombay reaches Belgaum in the mroning. Mr.Lele must have therefore left Belgaum on Saturday evening and reached there on Monday morning. If so, no fee would ordinarily be payable for these days. Please see sub-rule (3) of Rule 24 of L.O.(C.S.) Rules under which the P.P. is not entitled to any fee for any day on which the absence from headquarters does not exceed six hours unless during such absence appearance has been made in any court. The rule cannot be liberally interpreted when an outside pleader is engaged. Besides, the special fee of Rs.100 also seems high compared with the remuneration payable to P.Ps. for similar work. In the circumstances P.D.may suggest that the fees admissible under Rule 24 may be sanctioned or i the alternative, the special fee may be limited to one day, the t .a. admissible being allowed in each case.

Sd/ 'A' above appears to be reasonable the L.D may however first state what is the unsual practice in such cases.

Sd/ D.H'D.

EXH 5/6/ O.R.to the L.D.dt.27/7/48.

I gather from the Government Pleader that the Sabade Murder appeal was ~~decided~~ placed for admission yesterday by Bavdekar and ~~District~~ Dixit Judge and postponed for further hearing for admission. That gives us an opportunity of engaging the advocate General. Please write to G.P. ~~immediately the times of the~~ in view of the ~~cession~~ already taken.

Sd/ P.M.Lad.

A.S.

Mrs. Benjaminy.

EKN.7/6/

Mr.Lele's terms are reasonable. F.D. may be requested to sanction them.

Sd/ R.T.K.

R.L.A. P.M.Lad.

U.H. to F.D.No.6825 dt.21-7-1948.

EKN.7/6

I.D.R.I.No.9979dt.9-8-48.

Submitted with reference to office note Dt.4/8. Papers were xxxxxxxxx Shown to G.P.H.C. as directed by R.L.A. G.P. has stated that a note illl go from H.C. asking for R.&P. and paper books.

For orders whether Mr.B.D.Mirchandani should be informed accordingly.

AsS.

What is "R.& P."?

Sd/

Resubmitted with ref, to query of As., above, "R.&P." means 'Record and Proceedings.'

Sd/

AsS.

IKM.7/8/ Sd/

D.O.No.7716
Legal Department,
Bombay Castle, 13th August 1948.

Subject: Appeal against acquittal in Sabade Murder Case No.I ofthe 1948.

Dear,

On receiving your D.O.No.A.767 of 1948, dated 3rd August 1948, enquiries were made with Government Pleader, High Court and it is understood that High Court will send a writ asking for the Record and Proceedings andpaper books ir the above mentioned case.

Yours

Sd/P.M.Lad.

B.D. Mirchandani, Esquire,
Chief Administrator,
Sangli.

Submitted for approval and signature.

AsS.

R.L.A.

Submitted after issue.

Papers placed below have been forwarded by H.D. with a request to engage Advocate General to conduct the appeal. This was already been done, as will be seen from P.57 ante. For orders whether H.D. may be informed accordingly.

AgS

Sd/ P.M.Lad.

EKN.7/6/

Submitted with reference to F.D. note dated 27-7-48.

2. Attention in this connection is invited to a similar case in which R/B M.K.Desai, Pleader, Branch was sanctioned a fee of Rs.150/- per day in addition to 1st class t.a. for coming to Bombay to instruct the Govt.Pleader,High Court,Bombay in connection with Criminal Appeals Nos.384 of 1947 etc. Since Mr.Lele is not a law officer of Govt. the provisions of rule 24 of the Law Officers (Conditions of Service) Rules regulating the fees payable to a Govt. Pleader or Public Prosecutor cannot be made applicable in his case. Mr.Lele was an outside pleader who was request by Govt to give instructions to the Govt. Pleader because he had conducted the prosecution in the trial court at Jamkhandi.

3. In the above circumstances the F.D. may be requested to conier its decision and agree to the payment to Mr.Lele of a fee of Rs.100 per day for three days in additiomto the t.a.

Sd/

A.S. F.D. has presumed in to note on p.53 that Mr. Lele left Belgaum on Saturday evening and returned to Belgaum on Monday mornining so t hat he must have been able to attend to his work at Belgaum both these days. On that ground F.D. recommend the specid fee for one day only. Before asking F.D. to reconsider as at 'A' above the presumption made on F.D. will have to be got confirmed.

Sd/-

Sd/A.L.R.

EKM7/6/

No. 8508.

Legal Department,
Bombay Castle, 4th September 1948.

To
The Chief Administrator,
Sangli.

Subject:- Payment of fees to Mr.Y.N.Lele for giving instructions to the Government Pleader, High Court, of Bombay, in Connection with appeal against the order of acquittal passed by the Special Sessions Judge, Jamkhindi in Sabde Murder Case No.1 of 1948.

Sir,

Reference your letter No.15/9373, dated the 16th July 1948 regarding payment of fees to Mr.Y.N.Lele for giving instructions to the Government Pleader, High Court, Bombay, in connection with the above matter. It is presumed that Mr. Lele left Belgaum in the evening of Saturday and returned to Belgaum in the morning on Monday and was able to attend to his own work on these two days however if his absence from the headquarters on these two days did not exceed six hours no fee would ordinarily be payable to him for these two days vide sub-rule (3) of rule 24 of the Law Officers (Conditions of Service) Rules under which a Public Prosecutor is not entitled to any fee for any day on which his absence from the head-quarters does not exceed six hours unless during such absence he has appeared in any Court. This rule cannot however be too liberally interpreted when an outside pleader is engaged.

2. I am accordingly directed to request you to be so good as to state at what time on Saturday Mr. Lele left Belgaum as also at what time on Monday he returned to Belgaum after giving instructions to the Government Pleader on Sunday and the date and month of the Sunday on which he have instructions to the Government Pleader.

Yours faithfully,

P.M.Lad.
Assistant Secretary to Govt.
Legal Department.

Submitted for signature.

Supt.

A.S.

EKN 7/6/

No.15/A4896 of 1948.

Office of the Chief Administrator,

Sangli, 23rd September 1948.

To

The Secretary to the Government of Bombay,

Legal Department, Bombay.

Sub:. Payment of fees to Mr.Y.N.Lele Pleader for giving instructions to Government Pleader, High Court, Bombay, in Sabade Murder Case.

Ref:- Your letter No.8508 of 8-9-1948.

Sir,

I enclose herewith a copy of a letter No. 2984 of 17th September, 1948, from Mr.Y.N.Lele, pleader, Belgaum, giving the required information.

Yours faithfully,

Sd/-

Chief Administrator, Sanglie.

EKM.7/6/

Y.N.Lele,

Pleader, Belgaum.
Date, 17th Sept.48.

To
The Chief Administrator,
Sangli.

Respected Sir,

I received yours dated 10th Sept.1948. I had been to Kolhapur for a Sessions case. So I could not reply to your earlly.

I left Belgaum on Saturday in the evening by Mail and returned to Belgaum on Monday the morning by Mail and I gave instructions to the G.P. Bombay on Sunday 11th July.

Perhaps you may require the same kind of information when I again went to Bombay on the 24th July, as I informed you by my letter dated 23-7-1948. I left Belgaum on Saturday in the evening on 24th, and gave instructions to G.P. Bombay on Sunday the 25th. The appeal came up for admission before the Hon.H.C. on Monday the 26th. I attended the Court and was present with the G.P. when the appeal was heard. After hearing G.P. about 2 hours, the Hon.Court ordered that full record should be called forth. I could not leave Bombay on the 26th. Though I returned to Belgaum on the 28th I may be given the remuneration only on the basis that I had to return on the 26th. I am not entitled to my fees on the 27th and 28th. I do not claim them.

I think thepoint is clear. I request that my fees may kindly be sanctioned and sent to me early.

Yours faithfully,

Sd/Y.N.Lele.
Pleader, Belgaum.

YKN.7/6/

Legal Department.
12129/28-9-1948.

Submitted with pp.

2. In reply to this Deptt. Letter No.8508, dated the 8th September 1948 the Chief Administrator, Sangli forwards a copy of Mr.Lele's letter dated the 17th Sept. 1948.

3. Mr.Lele states that he left Belgaum on Saturday in the evening by mail and returned to Belgaum in the morning by mail after giving instructions to the G.P.H.C.t on Sunday the 11th July 1948. He adds that he again left Belgaum in the evening on Saturday the 24th July and gave instructions to the G.P. on the 25th July. The appeal came up for admission before the Court on that day and was present with the G.P. when the appeal was heard. The Court heard the G.P for about two hours andordered that full record should be called forth. He could not leave Bombay on the 26th July and returned to Belgaunm on the 28th but is prepared to accept remuneration on the basis as if he had returned on the 26th and does not claim fees for the 27th and 28th July 1948.

For orders.

Supt.

A.S. As at 'A'

Sd/- P.M.Lad.

A.L.R. Mr.Lele's claim is very reasonable & may be sanctioned as conceeded by him.

Sd/ R.T.K.

R.L.A. P. M.lad.

U.D.R.o F. No.9844 dated 21-10-1948.

F.D.F.

Seen and returned to the Legal Department.

Sd/

Mr. Vele has in all become entitled to fees on the basis of three days. (For his first trip (10th to 12th July) F.D's presumption was not incorrect.)

Sd/-

U.O.R. to Legal Deptt. dated 25/10/1948.

Legal Department.

14431/30.10.1948.

Submitted.

The F.D. has agreed to our proposal. The necessary memo conveying Govt. sanction is put up for approval and signature.

Supt. Sd/

A.A.S. :

KN.7/6/

No. 11649.

Legal Department,
Bombay Castle, 8th December 1948.

Subject:- Fees.
Payment of - to Mr.Y.N.Lele, B.A., LL.B., Pleader, Belgaum, forgiving instructions to the Government Pleader, High Court, Bombay, in connection with Appeal against acquital in Sessions Case No.1 of 1948 of The Court of the Special Sessions Judge at Jamkhindi.

(Sabade Murder Case)

MEMORANDUM

The undersigned presents compliments to the Accountant General, Bombay, and is directed to convey the sanction of Government to the payment to Mr.Y.N.Lele, B.A.,LL.B., Pleader, Belgaum, of the following fees for giving instructions to the Government Pleader, High Court, Bombay, in connection with the Appeal referred to above:-

(a) A fee of Rs.300 at the rate of Rs.100 per day for three days.viz 10th July to 12th July 1948 plus 2nd class travelling allowance from Belgaum to Bombay and back and

(b) A fee of Rs.300/- at the rate of Rs.100 per day for three days, viz. 24th to 26th July plus 2nd class travelling allowance from Belgaum to Bombay and back.

By order of the Governor of Bombay,

Sd/

Assistant Secretary to Government,
Legal Department.

To
The Accountant General, Bombay (through the Finance Department)

Copy to
The Finance Departemtn,
The Chief Administrator,Sangli,
Mr.Y.N.Lele,B.A.,LL.B.,Pleader,Belgaum.
(through the Chief Administrator,Sangli)

W 7/6/

No.12230.

Legal Department,
Bombay Castle, 23rd December 1948.

To
The Chief Administrator,
Sangli.

Subject: F E E S.
Payment of - to Mr.Y.N.Le.., ---.,---
Pleader, Belgaum,for giving instructio
to the Government Pleadg High Court
Bombay, in connection with Appeal
against acquittal in Sessions case
No.1 of 1948 of the Court of the
Special Sessions Judge at Jamkhindi
(Sabade Murder case).

Sir,

With reference to Government Memorandum, Legal Department, No.11649, dated the 8th December,1948, on the above subject, I am directed to request you kx to be so good as to instruct Mr.Y.N. Lele to prefer his bill in connection with the above matter as sanctioned in the Government Memorandum referred to above.

Yours faithfully,

Sd/

Assistant Secretary to Government.

Submitted.

The Govt. memo.sanctioning fees to Mr;Lele has been issued.

The above letter to the Chief Administrative Sangli is put up for approval and signature.

Supt- Sd/

A.S. S.D/

EKM.7/6/

Personal.

Y.N.Lele
B.A.LL.B.
PLEADER.

BELGAUM.

Date. 12th Jan.1949.

Dear Sir,

I had seen you in Bombay when I had been there in connection with the Sabde murder Appeal.

I wrote several letters to the Chief Administrator, Sangli for my fees, but to no purpose.

I have not even received any reply to my letters.

So I request you to see that my fees are paid at an early date.

Wishing you all a happy and Prosperous New year.

Yours faithfully sincerely,

Sd/-

To

P.M.Ahmad.Esqr.
I.C.S.,
Bombay.

Have we received the Bill? Please put it up with papers today.

E.K.N.7/8/

Sd/ P.M.Ahmad.

Legal Department.
556/14-1-1949.

Submitted with reference to Secy's Qurry.

2. Attention is, in this connection intived to this Department letter Ml.12238, dated the 23rd December 1948 under which the Chief Administrator, Sangli, has been requested to instruct Mr.Y.N.Kale to prefer his bill as sanctioned in Government memorandum No. 11649, dated the 8th December 1948. No bill has so far been received either from Mr. Kale or from the Chief Administrator, Sangli.

Sd/

Supt. Sd/

AS. Sd/

Secy. Sd/ P.M.Lad. He may be expedited.

RKM.7/6/

7106
29-7-48

No.5522.

From

THE GOVERNMENT PLEADER, HIGH COURT.

BOMBAY;

To

The Secretary to Govt. Legal Department.Bombay.

Bombay 13 - 12 - 1948 .

SIR,

Referring to ..G.R.L.D.....No..5047.....
dated ...27.-.5.1948:.....194 , I have/honour to inform you that the case noted in the margin was heard by the High Court on 29.11.1948 When the following order was passed:-

Criminal Appeal No.399/1948 .
The Government of the Province of Bombay.
V/S
Waman Nilkanth Pusalkar & others.

" The Appeal is summalily dismissed.

Yours most obedient servan

Sd/-

Government Pleader

High Court

XXN7/6/8

Submitted for information,

Receipt of the H.C.Judgment may be awaited.

Sd/-

A.L.H. Sd. H.T.K.

EKN.7/6

87/81.

IMMEDIATE. No.2700

Legal Department,

Bombay Castle, 9th March 1949.

To

The Chief Administrator,

SANGLI.

Subject:- Fees.

Payment of - to ..... Pleader, Belgaum, for giving instructions to the Government Pleader, High Court, Bombay, in connection with Appeal against acquittal in Sessions Case No.1 of 1948 of the Court of the Special Sessions Judge at Jamkhindi (Sabade Murder Case).

Sir,

With reference to the correspondence ending with this Department letter No. 637, dated the 18th January 1949, on the above subject, I am directed to state that no reply has been so far received from you in the matter. What this department particularly requires to know is the amount of 2nd class railway fare spent by Mr. Lele for journey from Belgaum to Bombay and back on the two diffrn occasions in question. Please ascertain the same from Mr. Lele immediately and send your reply so that the Accountant General, Bombay can be requested to make the necessary payment to Mr. Lele through the Treasury Officer, Belgaum.

Yours faithfully,

Sd/

Assistant Secretary to Government.
Legal Department.

Submitted.

2. No reply has so far been received from the Chief Administrator, Sangli.

3. The above letter put up for approval and signature may issue.

Sd/
Supt.

EKM.7/6 A.S.

No.15/C-767. of 1949.

Office of the Chief Administ-rator.
Sangli, 14 March 1949.

To

The Secretary to the Government of Bombay,
Home Department,
Bombay.

Subject: Fees - payment of - to Mr.Y.M.Lele, B.A.,LL.B., Pleader, Belgaum.

Reference:- Government letter, L.D.No-2700.

Sir,

I enclose herewith a copy of the letter from the Additional Administrator, Jamkhandi, No.F.J.125 of 1949 dated 15-2-1949 to Mr.Y.M.Lele, B.A.,LL.B., Pleader Belgaum from which it will be seen that a cheque for Rs. 720-7-0 has been sent to him by the Addl.Administrator Jamkahandi for his fees for the two trips -Rs.600/- and the T.A. of the two trips Rs.122/- after necessary education out of Rs.722/- in all. In-quiry is being made with the Addl.Administrator, Jamkhandi whether the cheque has been cashed and the amount received by Mr.Lele A report will be submitted to Government on receipt of his reply.

Yours faithfully,

Sd/

KM.7/6 Chief Administrator, Sangli.

Legal Department.

4223/23-3-49.

Please see letter from the Chief Administrator Sangli, Mr. Tele has been paid his fees by the Addl. Administrator Jamkhandi.

The letter may be shown no to the Accountant General, Bombay for information with reference to his letter No. D.A.III-27-s.D.3814, dated 5-3-1949.

Sd/

Supt. Sd/

A.S. Sd/-

U.O.N. to A.G.No.3481, dated the 31-3-1949.

Office of the Ay. Bombay.

Seen and returned wit h compliments.

Sd/

U.O.N. to Legal Department, Bombay.

D.A.III.27.dated 4471 dated 4.4.1949.

EKN.7/6/

F.D.J.No.125 of 1949.
Additional Administrator's Office
Jamkhandi, 15th Feb. 1949.

To

Y.N.Lele, Esq..
B.A., LL.B.,
Pleader, Belgaum, Belgaum.

Sir,

In continuation of this office No.F.D.115 dated 12th/15th Feb. 1949. a cheque for Rs.720-7-0.(Rupees

Rs.722-0-0	as per bill	seven hundredn and twenty and annas seven only), with the account as detailed in the margin , on the New Citizen bank
" 1-9-0	less.	
	1-8 cheque commission	
	0-1 receipt stamp	
	1-9	
720-7-0.		

of India Ltd., Belgaum bearing No. C-157667 dated 15-2-1949 is enclosed herewith.

Please acknowledge the receipt.

Sd/- .....

Additional Administrator, Jamkhandi.

Copy submitted to the Chief Administrator, Sangli, in continuation of this office No.FD.115 of 12th/15th Feb.1949 for information

EKN.7/6

No. 15/e. 1878.

Office of the Chief Administraor,
Sangli,28 March 1949.

To

The Secretary to the Govt. Of Bombay,

Legal Department, Bombay.

Subject:- Fees...Payment of...to Mr.Y.N.Lele, B.A.LL.B.,Pleader,Belgaum.

Reference:- Govt.L.D.Letter No.2700, dated 9-3-1949

In continuation of my letter No.15/C.767 of 1949, dated 14-3-1949 I have the honour to state that the cheque for Rs.720-7-0, on account of the fees payable to Mr.Y.N.Lele,Pleader,Belgaum has been cashed by him.I have received a letter dated 21-3-1949 from Mr.Lele to that effect.

Sd/

Chief Administrator, Sangli.

Copy to Mr.Y.N.Lele,B.A.LL.B.Pleader Belgaum.

EKN. 7/6/ Copy to the Addl. Administrator,Jamkhandi.

No.D-A.III. Bombay 3 December 1948.
27 S/D/2495.

3-1-49

FROM

THE ACCOUNTANT GENERAL BOMBAY,

To

The Government Pleader,
Bombay.

Subject: Payment to Mr.V.M.Lele,
Pleader, Belgaum.

Sir,

I have the honour to forward herewith a copy of Government Legal Department Memo No.11649 , dated 8th December 1948 and to state that it is presumed that the amounts payable to Mr.Lele will be drawn by you. It is also presumed that the charge will be debitable to the Head 27 Administration of Justice -Law Officers Fees etc. The above presumption may kindly be confirmed early.

Yours Faithfully,

Sd/
Assistant Accountant Officer.

Copy of Legal Department, Memorandum No.11649, dated 8th December 1948, to the Accountant General, Bombay.

Subject Fees.

Payment of - to Mr.V.M.Lele, B.A.LL.B., Pleader, Belgaum for giving instructions to the Government Pleader High Court, Bombay, in connection with appeal against acquittal in Sessions Case No.1 of 1948 of the Court of the Special Sessions Judge at Jamkhindi. (Kabade Murder Case).

The.....

The undersigned presents compliements to the Accountant General, Bombay, and is directed to convey the sanction of Government to the payment to Mr.Y.N.Vele, B.A.LL.B., Pleader, Belgaum, of the following fees for giving instructions to the Government Pleader High Court, Bombay, in connection with the Appeal referred to above.:-

(a) A fee of Rs.300/ at the rate of Rs.100 per day for three days, viz. 10th July to 12th July 1948 plus 2nd class travelling allowance from Belgaum to Bombay and back and

(2) A fee of Rs.300/- at the rate of Rs.100 per day for three days, viz.24th to 26th July plus 2nd Class travelling allowance from Belgaum to Bombay and back.

By order of the Governor of Bombay.

No.162

Office of the Government Pleader High Cour - Bomaby 8th Jan.1949.

Forwarded with compliments to the Remembrancer of Legal Affairs Bombay for information necessary action.

Sd/

Govt.Pleader High Court.

EKH.7/8/

VERY URGENT.

Legal Department.
505/11-1-1949.

Please see the letter from the Accountant General, Bombay addressed to the Government Pleader, High Court, Bombay, asking him whether the amount payable to Mr.Lele have been issued vide G.M.,L.D.No.11649, dated 8-12-48. Mr.Lele has been requested to state the details of the bill and his reply is awaited. Mr.Lele is a pleader from Belgaum. As regards the drawing of the bill payable to Mr.Lele this Department intends to instruct the Accountant General, Bombay to direct the Treasury Officer., Belgaum, to make necessary payment of the bill to Mr. Lele at Belgaum pointing out the necessary source from which the expenditure should be met. Mr.Lele will also be instructed to approach the Treasury Officer, Belgaum, to receive the payment. If this is done the question of drawing his bill does not arise. The Accountant General Bombay, may however be requested u.p. to state at an early date whether the above course is feasible.

Supt. Sd/

A.S. Sd/ P.M.Lad. A.G.May see whether "A" above is feasible.

U.O.R. to Accountant General, Bombay, No.722,dt.28/1/49.

A.Gls.Office.

Seen and returned to Legal Department,Bombay,.

There is no objection to issue orders to this office to authourise the Treasury Officer, Belgaum to make neces sary payment to Mr.Y.N.Lele,Pleader, Belgaum. It is presumed that the expenditure is debitable to '27-Admn. of Justice -Law Officer, Fees etc.". This may by mentioned in the orders.

U.O.R. to Govt. of Bombay, Legal Department, No.D.A. III.27-S.D/3009. Bombay, the 28th January 1949.

EKN.S/S/

No.15/Sabade/C-1037/ of 49.

Office of the Chief Administrator,
Sangli, 18-7-49.

To

The Secretary to the Government of Bombay,

Legal Department, Bombay No.1.

Subject:- Payment of fees to Mr.Y.N.Lele, Pleader, Belgaum (Sabade murder case).

Reference:- Government Endorsement L.D.No.6818, dated 20-6-1949.

Sir,

Mr.Y.N.Lele Pleader Belgaum was briefed by the Jamkhandi Government in the Sabde murder case. He was asked to instruct the Government Pleader Bombay when Government had filed an appeal against the order of acquittal passed by the lower Court, Mr.Lele had been to Bombay twice in the Month of July. The fees for his two trips and Travelling Allowance was sanctioned by Government in the Memo.No.11649 dated 8-12-1948 from the Legal Department. The fees as per this Government Memo was paid to Mr.Lele. (Please vide this office letter No.15/C-767 dated 14-3-1949 to Government Legal Department).

2. Mr.Lele had gone to Bombay in the month of November 1948 at the time of hearing of the appeal in the High Court. He left Belgaum on 27-11-1948 in the evening . He saw the Government Pleader on 28-11-1948and gave instructions. He saw the Advocate General briefed by Government on 29-11-194 He was present in the High Court on the same day i.e. on 29-11-1948 when the appeal came up for hearing before their Lordships. He left Bombay on the same day and reached Belgaum 30-11-1948 in the morning. He is thus claiming fees for four days i.e. Rs.400 and Travelling Allowance Rs.61 i.e. Rs. 461 in all. His fees may be sanctioned as per rules. On receipt of sanction arrangements will be made to pay the sum from the Sub-Treasury at Jamkhandi.

The application of Mr.Lele with its accompaniments accompanies.

Yours faithfully,

Sd/

Chief Administrator, Sangli.

Below No.6818 dated 29-6-49 from the Secretary to the Govt, of Bombay L.D.Bombay.

Submitted,

It appears that Mr.Lele who was briefed by the Jamkhindi Govt. in the sabade Murder case was asked to instruct the Govt. Pleder Bombay when the Govt. had filed an appeal against the order of acquittal passed by the lower court. Mr.Lele went to Bombay twice in the month of July.

I Trip. He left Belgaum on 10-7-48in the evening Instructed the Govt.Pleader on 11-7-48 and returned on 12-7-48 by morning mail.

II Trip. He left Belgaun on 24-7-48 in the evening instucted the Govt.Pleader on 25-7-48 and present in the High Court on 26-7-48. and after a halt of 2 days for private work returned to Belgaum on 28th.

He is sanctioned Rs.300 (Rs.100 per day) for 3 days and the T.A. (Rs.61) for the I trip.

He is also sanctioned Rs.300 (Rs.100 per day) for 3 days and T.A.(Rs.61) for the II Trip.

Thus he is given Rs.600 plus Rs.122 as T.A.(i.e. Rs.722). The sum is paid and Government is informed accordingly.

Mr.Lele had gone to Bombay on 27-11 48. This is his third trip. He left Belgaum on 27-11-48 in the evening He saw the Govt.Pleader on 28-11-48 and gave instructions. He saw the Advocate General briefed by Govt. on 29-11-48 He was present in the High Court on 29-11-48 when the appeal was heard. He left Bombay on 29-11-48. He thus is claiming fees for 4 days (Rs.100) plus Rs.61 as T.A.ieo. Rs.461 in all. This bill has not been sanctioned by Govt. and the Govt. may be requested sanction the same.

EKN 7/6/

No. 9813.
Legal Department,
Bombay Castle, 30th August 1949.

Subject:- **Fees.**
Payment of - to Mr.Y.N.Lele,B.A. LL.B., Pleader, Belgaum, for giving instructions to the Government pleader, High Court, Bombay in connection with Appel against acquittal in Sessions case No.1 of 1948 of the Court of the Spl.Sessions Judge at Jamkhandi (Babade Murder Case)-

MEMORANDUM.

The undersigned presents compliments to the Accountant General,Bombay and is directed to convey the sanction of Government to the Payment to Mr.Y.N.Lele,B.A.LL.B., Pleader, Belgaum, of the following fees for giving instructions to the Government Pleader,High Court, Bombay in connection with the Appeal referred to above.

1) A fee of Rs.400/- at the rate of Rs.100/- per day for 4 days viz. 27th November 1948 to 30th November 1948 plus Rs.61 as travelling allowance from Belgaum to Bombay and back.

2. The charge is debitable to the head "27 Administration of Justice B. Law Officers-B-2 Mofl. Estt. B-2(4)(Contingencies)

By order of the Governor of Bombay,

Sd/ R.M.Mehta.
Assistant Secretary to Government,
Legal Department.

To

The Accountant General, Bombay (through Finance Department).

Copy to:

The Finance Department,

The Chief Administrator, Sangli,

The Additional Administraor, Jamkhandi,

Mr.Y.N.Lele,B.A.LL.B.,Pleader,~~Jamkhandi~~Belgaum, (through the Chief Administrator, Sangli.)

RKM.7/6

No.15/Sabade/18601 of 1949.

Office of the District Magistrate,
Satara South,
Sangli, 28th September 1949.

To

The Collector & District Magistrate,
Bijapur.

Sir,

I am forwarding herewith the Government, Legal Department Memo.No.9813, dated 30th August 1949 in original sanctioning the payment of Rs.461/- to Mr.Y.N.Lele, B.A.LL.B., Pleader, Belgaum for his fees for instructing the Government Pleader, Bombay in the appeal in Sabade murder case. As Jamkhandi has now be made to Mr.Lele by you and the expenditure may be debited to the budget head pointed out by Government and Government may be informed accordingly

Yours faithfully,

Sd/
Dist.Magistrate, Satara South,
Sangli.

Copy submitted to the Secretary to the Govt. of Bomba Legal Department, for information.

Copy forwarded with compliments to Mr.Y.N.Lele, B.A.LL.B., Pleader, Belgaum.

2. Further correspondence in this matter may be mad with the District Magistrate, Bijapur.

Legal Department.
16025,30-9-49.

EKN7/6/

No. DAIII/27-CD/2753

Bombay the 2nd September 1949.

FROM
THE ACCOUNTANT GENERAL,
BOMBAY.

To
The Secretary
to the Government of Bombay,
Legal Department, Bombay.

Sir,

SUBJ- Payment of fees to Mr.Y.N.Lele pleader Belgaum (Sa[illegible]ade Murder Case).

I beg to invite a reference to Government L.D. leter No.9813 dt. 30.8.49 on the subject mentioned above and to enquire whether the amounts payable to Mr.Lele will be drawn and dispursed by the Government Pleader, High Court, Bombay. or whether the payment should be authorized by this office direct the through Treasury officer, Belgaum. In this connection a reference is invited to G.L.Legal Deptt. No. 3176 dt. 24.3.49.

Yours faithfully,

Sd/

ASSTT. ACCOUNTS OFFICER.

KH.7/8/

Legal Department.
16024/30-9-49.

Please see A.G's letter No. D.A.III/27-GD/ 2753, dated the 21st Sept.1949.

2. With reference to protion "A" of A.G's letter at page 1 ante, the A.G. may be informed that as Jamkhindi has now been merged in the District of Bijapur, the Dist.Magistrate,Satara Sourth Sangli, has requested the Dist.Magistrate,Bijapur,to make the necessary payment of Rs.461/- to Mr.Lele as sanctioned in G.R.L.D.No;9813, dated 30-8-1949, This Office has subsequently enquired of the D.M.,Bijapur whether the necessary payment has been made by him to Mr.Lele. The reply of the D.M.,Bijapur is awaited.

3. With reference to portion "B" of A.G's letter at page 1 ante the A.G. may be informed that the payment sanctioned vide G.R.L.D.No.11649, dated 8-12-1948 has already been made to Mr.Lele by the Addl. Administrator, Jamkhindi and the A.G. has already been informed of this vide this Deptt. u.o.rs. Nos. 3481 and 3482, dated 31-3-1949.

4. The above note may be shown u.o to the A.G., Bombay for information with refeernce to his letter No.D.A.III/27-GD/2753, dated 21-9-1949 at page 1 ante.

Sd/ As at 'A' above.

Supt. Sd/

A.S.(Mr.M.) Sd/

U.O.M. to A.G.Bombay No.13926 dated 2-12-1949.

EKM. 7/6/

Legal Department.
16024/30-9-49.

Please see A.G's letter No. D.A.III/27-CD/2753, dated the 21st Sept.1949.

2. With reference to protion "A" of A.G's letter at page 1 ante, the A.G. may be informed that as Jamkhindi has now been merged in the District of Bijapur, the Dist.Magistrate,Satara Sourth Sangli, has requested the Dist.Magistrate,Bijapur,to make the necessary payment of Rs.461/- to Mr.Lele as sanctioned in G.R.L.D.No;9813, dated 30-8-1949, This Office has subsequently enquired of the D.M.,Bijapur whether the necessary payment has been made by him to Mr.Lele. The reply of the D.M.,Bijapur is awaited.

3. With reference to portion "B" of A.G's letter at page 1 ante the A.G. may be informed that the payment sanctioned vide G.R.L.D.No.11649, dated 8-12-1948 has already been made to Mr.Lele by the Addl. Administrator, Jamkhindi and the A.G. has already been informed of this vide this Deptt. u.o.rs. Nos. 3481 and 3482, dated 31-3-1949.

4. The above note may be shown u.o to the A.G., Bombay for information with refeernce to his letter No.D.A.III/27-CD/2753, dated 21-9-1949 at page 1 ante.

Sd/ As at 'A' above.

Supt. Sd/

A.S.(Mr.M.) Sd/

U.O.M. to A.G.Bombay No.13926 dated 2-12-1949.

EKM. 7/6/

A.G's Office.

Seen and returned with compliments.

Sd/

A.A.G.

U.O.R. to Govt. Legal Department, Bombay
No.D.A.III? 27-5,D?4552. Bombay 20th December 1949.

No.M. A. G.
Bijapur 1-12-1949,

The Assistant Secretary to Government,
Legal Department, Bombay.

Subject:- Payment of Rs.461/-sanctioned to Mr.Y.N.Lele under Government Resolution L.D.No.9815/30-8-49.

Reference:- L.D.Letter No.13681/28-11-1949.

The payment of Rs.461/- (Four hundred and Sixty one only) has already been made to Mr.Lele, from Belgaum treasury, for which an acknowledgement of receipt of the sum has also been received from him.

Sd/

EKN.7/8/ For Dist.Magistrate Bijapur.

Below U.O.R. dated 7-12-1949 from
the Government of Bombay, Legal --- Department.

A.G's Office.

Seen and returned with compliments.

Sd/
A.A.O.

U.O.R. to Govt.Legal Department, Bombay.
No.D.A.III.27/S.D./4553.

Bombay, the 20 December 1949.

EKN. 7/6/

----------X----------

20th Sept., 1949.

To

The Remembrancer of Legal Affairs,
Bombay.

Subj- Bills for Rs.450/- for fees and Rs.75/- for T.A.charges in Criminal Appeal No.598 of 1948.

Sir,

I have the honour to forward herewith my aforesaid two bills, which may please be countersigned and returned to me, at an early date.

The appointment order, as well as, the Attendance certificate No.323 dated 18th January, 1949 of the Government Pleader, High Court.Bombay, is enclosed with my fees bill, which may please be noted.

Yours faithfully,

Sd/

Special.Public Prosecutor,
Broach.

EKM-7/6/

Legal Department.
16020/3-10-1948

Mr.Motilal H.Vin submits two bills for Rs.450/- for fees for 3 days at the rate of Rs.150/ per day and Rs.75/- for t.a. for coming down to Bombay to instruct the Government Pleader High Court Bombay, in Criminal Appeal No.598 of 1948 (Rex.V.Mahomad Adbdul and Others). Mr.Vin was appointed as a special Counsel for conducting criminal proceedings in Godhra Town C.R.No.119/47 in the Court of the Sub-Divisional Magistrate, God as well as in the Sessions Court vide G.Rs...D.Nos. 13507, dated 30-12-47 and 6919 dated 24-7-48 respectivel on a fee of Rs.150/. per day of hearing plus 1st class railway fares. In the present appeal filed by the accused from the decision of the Sessions Court Mr.Vin who had conducted the case in the two lower courts was asked to instruct the G.P.High Court vide R.L.A's letter No.11732 dated 10-12-48. From the pps. it appears that no fees have been sanctioned to him for instructing the G.P.High Court.

2. From the certificate given by the G.P.High Court, it will be seen that Mr.Vin instructed the G.P. on 12-1-49 and he was also present in the court at the time of hearing of the case in questionon 13th and 14th January 1949. He will accordingly be entitled to his fees for three days. He was claimed fees and t.a. at the same rate ie. Rs.150/- per day and 1st class t.a. in connection with the appeal. The fees as well as t.a. claimed by Mr.Vin are reasonable and may be sanctioned after U.O.S. to F.D.

Sd/ As at 'A' above.

Supt.Sd/-

A.S.(Mr.M) Sd/

KM.7/6/ R.L.A.

it was never necessary for Mr.Vin to remain present during the hearing. Anyway as he has been present. We may sanction his fees which are otherwise reasonable and on times of our engagement.

Sd/ P.M.Lal.

U.O.R. to P.D.No.12982dated 15-11-49.

F.D.

The L.D. proposal may be accepted.

Sd/

Sd/

U.O.R. to L.D. dated 23-11-49.

Legal Department.
19392/25.11.49.

Submitted.

The F.D. has agreed to our proposal. The necessary memo. conveying sanction of Govt. is put up for signature.

Sd/

Supt. Sd/

A.D.(Mr.M.) Sd/

No.1[illegible]35.
Legal Department,
Bombay Castle, (Bombay No.1)
1st December 1949.

MEMORANDUM.

The undersigned presents compliments to the Accountant General, Bombay, and is directed to convey sanction of Government to the payment to Mr.Motilal H.Vin, B.A.,LL.B.,Advocate, Broach of a fee of Rs.450/ (at the rate of Rs.150/- per day for three days) and travelling expenses amounting to Rs.75/-.for coming down to Bombay to instruct the Government Pleader, High Court, Bombay, in Criminal Appeal No.598 of 1948 (Rex Vs.Mahomed Abdul and others).

2. The expenditure should be debited to the current year's grant under the head "27-Administration of Juntice-B-Law Officers - B 2 Mofussil Establishment B - 2(4) Contingencies - Fees to Specia Counsel and Legal Expenses."

By order of the Governor of Bombay.

Sd/ P.B.Lad.
Assistant Secretary to Government
of Bombay, Legal Department.

To
The Accountant General, Bombay (through the Finance Department).

Copy to:-

The Finance Department,
The Motilal H.Vin,B.A.,LL.B.,Advocate,Broach,
The Treasury Officer, Broach.

EKN.7/6/

Submitted after issue.

The necessary sanction has now been issued. The bills for Rs.450/- For fees and Rs.75/- For t.a. pretend by Mr.Vin may now be returned to him only countersigned.

A.S. is kindly requested to countersign the bills at pages., 4 and 8 ante.

Supt. Sd/-

A.S.(Mr.M) Sd/

L.D.

Submitted.

It appears that this case has gone to A.S. by mistake before coming to A Brach. The engagement of Mr.Thakore in this matter was sanctioned by G.R.L.D.No, 13087 dated the 18th December 1947. In his letter dated 26th March 1949 Mr. Thakore has requested Government to clarify whether he was entitled to 1st class Railway fares as the G.R. was silent as to the Class through which is authorised to travel. No action appears to have been taken on this letter . It appears that in the meantim Mr. Thakore preferred his T.A. bill charging First Clss Railway fares. The Bill was objected to by the Treasury Officer, Kaira and now he has approached Government for sanctioning First Class Railway fares.

2. It has been decided in consultation with the F.D. that the D.G.P's are entitled to IInd Class Railway Fares. (Please see papers underlying R.L.A' No.6352 dated 7/6/1949). The case of special counsel has however to be differcatiated from that of a D.G.P. and since such cases are few and far between First Class Railway fares may be granted to Mr.Thakore on the precedent of G.R.L.D. No.13507 dated 30/12/1947. Formal orders may issue after U.R. to F.D.

Sd/ (thro' C)
Supt.
Supdt. Sd/

A.S. Sd/

EKN.7/6/ U.R. to F.D.No.7469 dated 6-7-1949.

Finance Department (C.Br.)

In view of A overleaf, the Legal Dept. proposal may be agreed to.

Sd/

U.O.R. to Legal Dept. dated 11/7/49.

Special Counsel.

Engagement of -

GOVERNMENT OF BOMBAY
Legal Department,
Resolution No.8153,
Bombay Castle, 19th July 1949

Read Government Resolution, Legal Department No. 13087, dated the 18th December 1947.

Letter from Mr.H.D.Thakor dated 1st June1949 stating that the travels by First Class and requesting that the travelling expenses may be sanctioned at First Class rates.

RESOLUTION:- For the words "travelling expenses" in Government Resolution Legal Department No.13087 dated 18th December 1947 the words "First Class travelling expenses" shall be inserted.

By order of the Governor of Bombay.

Sd/ R.M.MEHTA,
Assistant Secretary to Government.

To
The Finance Department,
The Accountant General (through Finance Department)
The District Magistrate, Kaira.
Mr.H.D.Thakor (Through District Magistrate Kaira).

Submitted for signature.
2. A.S.may sign this after R.L.A. has been.

A.S. Sd/

R.L.A. Sd/

RKN 7/6/

2. Please see Mr. Thakore's letter on p.15 post and Telegram on next page. The 'C' Branch, May now take the necessary action on the Bill.

Sd/

A.S. 'C' branch should note on this case very urgently. Money is May Thakore troubled like that.

Sd/

Supdt. Sd/-

Special Engagement.

Government of Bombay,
Legal Department,
Resolution No.13087
Bombay Castle 10th December 1948.

X X X X

Resolution:- Orders issued in Government Resolution, Legal Department No.9458 dated the 24th September 1947 are cancelled.

2. Sanction is accorded to the engagement of Mr.H.D. Thakore as a Special Public Prosecutor to conduct the prosecution against S.A. Malek, managing Director of the Pnand at Thana, on a fee of Rs.150/- per day of hearing plus the travelling expenses.

Motor Transport Co. in the Court of Spl. Magistrate

By order of the Governemntf Bombay.

Sd/- R.M. Mehta.

Assistant Secretary to Government.

EXH.7/8/

No.9388.

Office of the
Remembrancer of Legal Affairs,
Bombay Castle, 20th August 1949.

To

H.D.Thakore, Esquire, B.A.LL.B.,
Advocate,
~~Bombay~~ Broach.

Subject:.Payment of Bills in Kamumiya's Case.

Sir,

With reference to your letter dated the 27th June 1949 on the above subject, I have the honour to inform you that a reference has been made to the Accountant General, Bombay to issue the necessary instructions to the Treasury Officer, Kaira for making the payment both for attendance and T.A.Bill at Kaira and that the orders will be issued as early as possible.

Yours faithfully,

Sd/

for Remembrancer of Legal Affairs.

Submitted for signatures.

Sd/

'updt.Sd /

EKN.7/6/ A.S. Sd/

Legal Department.

Submitted.

Please see the letter of Mr.Thakore, Special P.P.Kaira at p.23 ante.

In the circumstances explained by Mr.Thakore, these papers may now be shown u.o to the Accountant General, Bombay with a request to issue the necessary orders to the Treasury Officer, Kaira to pay both the Attendance and the T.A.bills, for Rs.2400/- and Rs.225/12/- respectively.

The Accountant General is requested to treat this case as urgent.

Supdt. Sd/

A.S. Sd/-

u.o.r. to the Accnt.Genl.B'bay No.9495 dated 20/8/49.

.....

A.G's Office, Bombay.

Returned with compliments.

2. The Treasury Officer, Kaira is being authorised to pay the bills of Mr.Thakore, at Kaira. A copy of the letter is being endorsed to Govt.Separately.

3. It appears that the case in which Mr.thakore has been appointed in being heard bythe Special Magistrate at Ahmedabad. As such it would be against T.C.No.18 to pay the bills at Kaira. Necessary orders of Govt.authorising payment of the bills at Kaira as a special case as required by the Treasury order, may kindly be obtained, and furnished to this office.

4. It is presumed that Mr.Thakore is entitled to single first class railway fare from the place of his residence to the place of his duty and not if Railway fare as claimed by Mr.Thakore in view of the words 'Travelling Expenses' used in G.R.L.D.No.8153 dated 19-7-49. The presumption may please be confirmed. Sd/ A.A.O.

ZKM.7/6/

U.O.R. to Legal Department Bombay.
DATED.27-8-49/ 2308 2/9/1949.

No. DA.III.ND/8307

Bombay 1 ugust 1949.

FROM

THE ACCOUNTANT GENERAL,

BOMBAY.

To

The Treasury Officer,

Kaira.

Subject:- Payment of fees etc. to Mr.H.D.Thakre.

SIR,

Under instructions from Govt. I have to inform you that the Govt. of Bombay, have, in their resolutions legal Deptt.No.13087, re. dated 18th Dec.47, and No. 8153 dated 19-7-49 appointed Mr. H.D.Thakore as a special Public Prosecutor to conduct the prosecution against K.A.Naik, Managing Director of the Anand Motor Transport Co., in the court of special Magistrate at Kaira has been abolished and the case has been transferred to the Court of the Special Magistrate at Ahmedabad. I would, therefore, request you to pay his bills for fees and Travelling expenses duly supported by the Court's certificate regarding the dates on which he was required to attend the Court . The travelling expenses bill of Public Prosecutor requires countersignature of the Home branch of Legal Affairs Vide S.No.35 at page 241 of the B.C.B.Rs.Vol.II.

2. The payments when made may be included in the schedule of payment for non-GOs under '27-Administration of Justice.

Yours faithfully,

Sd/-

ASST. ACCOUNTS OFFICER.

x. on a fee of Rs.150/- per day plus I class travelling expenses. It appears that the Court of the Spl Magistrate at Kaira.

RKM.8/6/

Legal Department.

14236 5/9/49. and 14431 6-9-49.

Submitted.

2. Please see u.o.r. from A.G. at p 33 ante and A.G's letter to the Treasury Officer, Kaira at p.35 ante.

3. The A.G. in his letter to the Treasury Officer Kaira, has authorised him to pay at Kaira the bills of Mr.M.D.Thakore for fees and travelling expenses duly supported by the Court's certificates regarding the dates on which he was required to attend the Court as the Court of the Special Magistrate at Kaira has been abolished and the case has been transferred to the Court of the Special Magistrate at Ahmedabad. But the A.G.States that as the case in which Mr.Thakore has been appointed is being heard by the Special Magistrate at Ahmedabad it would be against Treasury Order No.18 to pay the bills at Kaira and requests that necessary orders of Government authorising payment of the bills at Kaira as a special case as required by the said Treasury Order may be furnished to his office. The necessary orders may issue after u-o.r. to F.D. that the t.a. bill of the Spl.P.P. requires countersignature of the R.F.A. vide S.M.38 at p.241 of the B.C.S.Rs.Vol/II. In this connection the attention of the A.G. may be invited to the provisions of rule 189 (2) of the Law Officers' Rules under which the fees of a Spl.P.P. in any case in the mofussil are to be drawn in the manner prescribed in rule 196 for drawing the fees of a Public Prosecutor and under rule 198 of the said rules a P.P. has to submit his bills for fees in criminal cases & including the t.a. direct to the treasury. The A.G. may therefor be informed to authorise the T.O.Kaira to pass the t.a. bill of

4. As A.G. has therein stated in his letter that

.akore without the countersignature of the
..L.A. under intimation to this office.

5. Mr.H.D. Thakore was appointed as a Spl. Public Prosecutor to conduct the prosecution against K.A.Malek, Managing Director of the Anand Motor Transport Co. in the Court of the Special Magistrate at Kaira on a fee of Rs.150/- per day of hearing plus the travelling expenses vide G.R.L.D.,No.13087, dated 10-12-1947. This G.R. was subsequently amended by G.R.,L.D.,No.8153 dated 19.7.1949 by which words "First Class travelling expenses" ~~xxxxxxxx~~ were substituted for the words travelling expenses occurring in G.R.L.D. No.13087, dated 10-12-1947. The Accountant General, Bombay, wants to know whether the term "First Class travelling expenses" used in G.R.L.D. No.13087, date. 10-12-47 means actual First class fare or 1½ fare as claimed by Mr.Thakore. Mr.Thakore was appointed as a Spl.P.P.He is therefore a P.P. in respect of the case for which he was appointed as defined in rule 2(s) of the Law Officers (Conditions of Service)Rules. He is accordingly a law officer asdefined in rule 3(e) in respect of the case for which he is appointed and could be entitled to drum t.a. just as if it is payable to law officers, which is regulated by B-C...Rs.(vide Note 4 to rule 377). Please see in this connection rule 29 of the ..O.(C of S)Rules. Mr.Thakre would, therefore, be entitled to 1½ First Class fares. F.D. may, however, see i.o. for concurrence.

6. As Mr.Thakore is pressing for early instructions in the matter, the F.D.may b requested to treat the case as "Urgent".

Supdt. Sd/
..S(H) Sd/

F.D. may be consulted.

u.o.P. to F.D. No.10947 dated 29-9-1949; ZNM.7/6/

Below U.O.R. dtd 1.11.49 from the Govt. of Bombay, L.&J. regarding payment of bills of Mr.M.V. Thakore, Special Prosecutor.

A. G's. Office.

Seen and returned with compliments.

2. As already stated in this office U.O.R. No. D.A.III. 27 SD/1515 dated the 8th July 1949, the travelling allowance bills of the Public Prosecutors will require the countersignature of the Remembrancer of Legal Affairs (vide serial No.6 on page 16 of the Bombay Civil Service Rules Vol.II. read with S.R.32 at page 40 of the Bombay in A.C.S.Rs. have been made under Section 241 (2)(b) of the Govt. of India Act. 1935. The authority on which rule 196(1) of the Rules for the conduct of Legal Affairs of Govt. has been based is not known to this office. As there is a conflict between the two rules it is requested that necessary steps may please be taken to amend either of the two rules to bring them in accord with each other before this office is requested to make similar payments in future.

3. The travelling allowance bill of Mr. Thakore for Rs.225/12/ which is in the Secretariat file has however been detached and sent to the Treasury officer, Kaira, for payment as desired.

Sd/

A.A.O.

U.O.R. to Govt. in the Legal Deptt. No.DA XII.27 SD. 3979 27th Nov. 19

Sd/

updt. Sd/

EKW.7/6/ S.(L.&J.) Sd/

No.13475

Office of the
Remembrancer of Legal Affairs.
Bombay Castle (Bombay No.1)24th November 1949.

To

M.D. Thakore, Esquire, B.A.,LL.B.,Advocate,
Chunilal Chawl, Broach.

Sir,

I have the honour to state that your travelling allowance bill for Rs.225-12-0 which was received with your letter dated the 1st June 1949 has been forwarded by the Accountant General, Bombay, to the Treasury Officer, Kaira, for making the necessary payment to you.

Yours faithfully,

Sd/ P.M.Lad.

Remembrancer of Legal Affairs.

EKN.7/6/

Legal Department.
16565/11-10-1949.

Submitted with pp.

2. Mr.H.D.Thakore has forwarded t.a. bills each for Rs.238-8-0 for journeys from Broach to Ahemeabad for conducting prosecution against A.A.Malek, Managing Director of the Anand Motor Transport Co., in the Court of the Special Magistrate,First Class,Ahmedabad. The Treasury Officer, Kaira to whom Mr.Thakore had preferred these bills returned them stating that the t.a. bills required the countersinature of the R.L.A. relying on the A.G's letter No. D.A.III 27 N.D/2397, dated 1-9-1949 addressed to him.

3. Subsequently i.e. on 17-11-1949 similar t.a. bill of Mr.Thakore has been forwarded by the A.G. to the Treasury Officer Kaira for making the necessary payment to Mr.Thakore.

4. These pps. may therefore be shown u.o. to the A.G., B'bay with a request to detatch the accompanying t.a. bills and send them to the T.O.,Kaira directing him to make the necessary payment to Mr.Thakore and return the pps. to this Department fo consideration further action suggested by him in para 2 of his u.o.r. at page 41 ante.

Supdt. Sd/

A.S.(Mr.M) Sd/-

EKN.7/6/ U.O.R. to the A.G.,Bombay No.13893 dated 30-11-1949

No.1921.

Legal Department.

Bombay Castle, (Bombay No.1), 9th Feb.1950.

To

The Accountant General,
Bombay.

Subject:. Amendment of rule 196(1) of the Law Officers' Rules.

Sir,

With reference to para 2 of your u.o.r. No. DA.III.27. ND.3979, dated the 17th November 1949, on the above subject, I am directed to state that the question raised therein is under consideration in this Department and that you will be informed of the decision in due course.

Yours faithfully,

-s/

for Secretary to Government.
Legal Department.

EKN.7/6/

A.G's.Office.

Returned with compliments.

2. The two travelling Allowance bills arebeing sent to the Treasury officer,Kaira,duly preaudite and passed for payment.

3. A reference is however invited to para 2 of this office U.O.No.D.A.III 27-N.D./3979 , dated 17.11.1949 and to request Government to issue necessary orders early.

Sd/

A.A.O

U.O.N. to Govt. Legal Department, Bombay.
No.D.A.III 27 N.D/4530. Bombay, the 9th December 1949.

No.14592.

Office of the
Remembrancer of Legal Affairs,
Bombay Castle (Bombay .c.1),15th December

1949.

To

H.D.Thakore,Esqr.,B.A.LL.B.,Advocate,
Chunarwad,
Broach.

Sir,

I have the honour to state that your two travelling allowance bills for Rs.238-8-0 each, which were received with your letter dated the 29th september 1949 have been forwarded by the Accountant General, Bombay to the Trasury Officer, Kaira, for making the necessary payment to you.

Yours faithfully,

Subd.for approal and signature.

Sd/P.M.Lad.
for Remembrancer of Legal Affairs.

Sd/

Supt. Sd/-

EKN.7/6/ A.S.(Mr.M) Sd/

Legal Department.

~~21384/28-12-1949~~

21384/28-12-49

Submitted with pp.

2. Mr.H.D.Thakore forwards a t.a. bill for Rs. ~~22.2.2~~ 39-12-0 for journey from Broach to Ahmedabad for conducting prosecution against K.A.Malek, Managing Director of the Anand Motor Transport Co. in the Court of the Special Magistrate, First Class, Ahmedabad.

3. This note may be shown u.o to the A.G., Bombay, with a request to detach the accompanying t.a. bill and send it to the Treasury Officer, Kaira, directing him to make the necessary payment to Mr.Thakore and return the pps. to this Deptt. as has been done on previous occastion.

Supt. Sd/

A.S.(Mr.M) Sd/

U.O.No. to the Accountant General, Bombay No.15295 dated 30-12-1949.

==========

~~Sd/-~~ A.G's Office.

~~Returned~~ Returned with complimen

2. The T.A. bill of the Mr.Thakore, special Prosecutor is being sent to the Treasury Officer, Kaira for payment.

3- Orders in para 2 of this office U.O.R. No.D.A.III.27ND3979 dated 17th November 1949 may be issued very early.

Sd/ A.A.O.

U.O.R. to Govt. in the Legal Deptt.
No. D.A.III. 27 ND.4881.6/1/50.

EKM.7/6/

No.403.

Office of the
Remembrancer of Legal Affairs.
Bombay Castle (Bombay No1)10th January 1950

To

H.D.Thakore, Esquire,B.A.,LL.B.,Advocate,
Chunarwad, Kronch.

Sir

I have the honour to state that your travelling allowance bill for Rs.39-12-0 has been forwar-ded by the Accountant General, Bombay to the Treasury Officer, Kaira, for making the necessary payment to you.

Yours faithfully,

Sd/ [illegible]

Remembrancer of Legal Affairs

Submitted for approval and signature.

R*M.7/6/ Supt. Sd/ A.S.(Mr.M) Sd/-

ubmitted after issue withrefer- to para 3 of A.G's U.O.R. No.D.A.III 27 N.D.4881, dated 6.1.1959 at p.57 ante.

2. On other papeers the F.D. has been requested to amend the B.C.S.Rs. suitably by briing them in accord with the provisions of rule 196(1) of the L.O.Rs.

3. The A.G. Bombay may be informed with reference to para 2 of his UOR No.D.A.III.27 N.D.3979, dated the 17th Nove.1949 that the question riased therein is under consideration and he will be informed of the decision in due course.

4. Memo. put up for approval and signature may issue to the A.G.Bombay.

Supt. Sd/-

A.S.(Mr.M)Sd/-